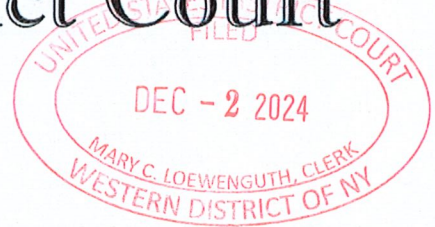


# United States District Court

for the  
Western District of New York



United States of America

v.

Case No. 24-mj- 5196

JOSE LUIS SANCHEZ

*Defendant*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From on or about November 30, 2024, in the Western District of New York, the defendant, **JOSE LUIS SANCHEZ**, did:

- (1) flee and evade a checkpoint operated by any federal law enforcement agency in a motor vehicle in excess of the legal speed limit; and
- (2) elude examination and inspection by immigration officers;

all in violation of Title 18, United States Code, Section 758; and Title 8, United States Code, Section 1325(a)(2).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Patricia Calleri  
*Complainant's signature*

Patricia Calleri, Special Agent, HSI  
*Printed name and title*

Sworn to before me and signed telephonically.

Date: December 2, 2024

Michael J. Roemer  
*Judge's signature*

City and State: Buffalo, New York

HON. MICHAEL J. ROEMER  
United States Magistrate Judge  
*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Patricia Calleri, being duly sworn, depose and state the following:

1. I am a Special Agent with United States (U.S.) Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI), and have been so employed for approximately 16 years. I am presently assigned to a group that among other areas, is responsible for conducting investigations relating to human trafficking and sexual exploitation and violations relating to ports of entry in the U.S.

2. I make this affidavit in support of an application for a criminal complaint charging, **JOSE LUIS SANCHEZ** ("SANCHEZ") with evading a checkpoint operated by a Federal law enforcement agency in a motor vehicle in excess of the legal speed limit, in violation of Title 18, United States Code, Section 758; and eluding examination or inspection by immigration officers, in violation of Title 8, United States Code, Section 1325(a)(2).

3. I am familiar with the facts contained in this affidavit based upon my personal involvement in this investigation, information provided by other law enforcement agents, and private companies. Because this affidavit is submitted for the purpose of establishing probable cause to believe an offense has been committed, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause.



4. On November 30, 2024, at approximately 10:25pm., at the Peace Bridge Port of Entry, Buffalo, New York, a blue Chevrolet vehicle pulled into lane 7 bearing Maryland registration 2GS0238. Customs and Border Protection Officer (CBPO) Singh identified the driver as SANCHEZ and the passenger was identified as Ana Canales RODRIGUEZ. The occupants stated they made a wrong turn into Canada and presented paperwork from Canada of their subsequent refusal. When asked for photo identification, SANCHEZ provided his driver's license and RODRIGUEZ claimed to not have identification. SANCHEZ was instructed by CBPO Singh to drive over to secondary inspection where they would both need to go inside and verify their status in the United States. At that time, CBPO Singh stepped out of the booth to direct SANCHEZ where to go when SANCHEZ sped off at a high rate of speed. SBPO Sing immediately initiated "port runner" protocols.

5. CBP Officers Jarod Kilgore and Kevin Kandefer departed the Peace Bridge Port of Entry in a marked CBP unit equipped with lights and sirens, to pursue the blue Chevrolet Spark with Maryland tags occupied by SANCHEZ and RODRIGUEZ. An emergency pursuit ensued to which CBPO Kilgore and Kandefer witnessed SANCHEZ driving recklessly, at a high rate of speed, through red lights and intersections with no regard to public safety.

6. The subject vehicle ultimately came to a stop due to inclement weather near the address of 201 Orlando Street, Buffalo, NY. CBP Officers Kilgore and Kandefer encountered both subjects as they were attempting to exit the vehicle. Both subjects were

apprehended, handcuffed, patted down for officer safety and placed in the CBP marked unit to be transported back to the Peace Bridge Port of Entry.

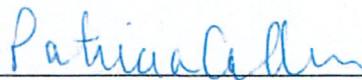
7. At approximately 12:30am, your affiant conducted an interview of Ana Canalas RODRIGUEZ. RODRIGUEZ stated she currently lives in Nashville and was in Buffalo with her boyfriend, SANCHEZ, visiting SANCHEZ's father. RODRIGUEZ claimed they were leaving Buffalo to travel back to Nashville when they made a wrong turn and ended up in Canada. RODRIGUEZ explained that she did not have proper identification and was refused entry into Canada and upon arriving at the Peace Bridge Port of Entry, SANCHEZ got nervous because RODRIGUEZ did not have proper identification and accelerated away from the Port of Entry. RODRIGUEZ stated that she told SANCHEZ to stop, that she had a pending asylum claim and she would not get in trouble. RODRIGUEZ stated that SANCHEZ ignored her and accelerated away, speeding and ignoring the law enforcement vehicles bearing lights and sirens, chasing behind them. RODRIGUEZ stated SANCHEZ ultimately stopped the vehicle because they got stuck in the heavy snow that was coming down. The interview was concluded at approximately 1:08am.

8. At approximately 1:20am, your affiant conducted an interview of SANCHEZ. After reading SANCHEZ his *Miranda* rights, he waived his rights and agreed to speak to law enforcement. The *Miranda* waiver was signed at approximately 1:22am. During the interview SANCHEZ stated that he was departing Buffalo to drive back to Nashville with his girlfriend, RODRIGUEZ. SANCHEZ stated he made a wrong turn and ended up in Cananda where he was encountered with a half a pound of marijuana in the vehicle to which the Canadian



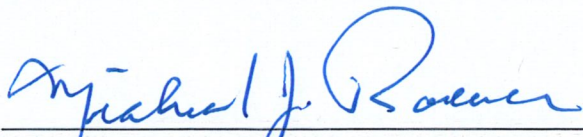
authorities seized and issued him a \$3,000 fine. Upon returning to the United States, SANCHEZ stated he got scared with the thought of having to pay another fine and for the fact that his girlfriend did not have a passport and had potential immigration issues, so he decided to speed away. SANCHEZ stated he pulled up at the booth and when he was told to park over in the secondary inspection area, that's when he sped away. SANCHEZ claimed RODRIGUEZ told him to stop but he did not listen to her and also ignored the lights and sirens trailing behind him. SANCHEZ stated he sped off at a high rate of speed, driving recklessly, even in the inclement weather and ultimately stopped when the vehicle got stuck in the snow. The interview was concluded at approximately 1:35am.

9. Based on the foregoing, I respectfully submit that probable cause exists to charge the defendant, JOSE LUIS SANCHEZ, with violating Title 18, United States Code, Section 758; and Title 8, United States Code, Section 1325(a)(2).



Patricia Calleri, Special Agent  
Homeland Security Investigations

Sworn and subscribed telephonically  
this 2<sup>th</sup> day of December 2024.



HONORABLE MICHAEL J. ROEMER  
UNITED STATES MAGISTRATE JUDGE